

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Assistant County Administrator

DATE: November 10, 2010

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC ADDRESS

V. ADDENDUM

VI. CONSENT AGENDA

VII. OLD BUSINESS

A. SUBJECT: ORDINANCE – BOARD OF EQUALIZATION

ORD-FY-11-
AN ORDINANCE PROVIDING APPLICATION AND DISPOSITION DEADLINES
FOR APPEALS FILED BY PROPERTY OWNERS AND LESSEES WITH
THE BOARD OF EQUALIZATION FOR THE PURPOSE OF HEARING
COMPLAINTS OF INEQUALITY IN THE EQUALIZATION OF REAL ESTATE
ASSESSMENTS AND/OR THAT REAL ESTATE IS ASSESSED AT MORE THAN FAIR
MARKET VALUE

WHEREAS, Pursuant to Section 58.1-3378 of the 1950 Code of Virginia, as amended, the Board of Supervisors may provide by ordinance the date by which applications must be made by property owners or lessees seeking relief from the Board of Equalizations for inequality in the equalization of real estate assessment and/or that real estate is assessed at more than fair market value; and

WHEREAS, The Board of Supervisors may also provide by ordinance the deadline by which all applications must be finally disposed of by the Board of Equalization.

NOW, THEREFORE, BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby establishes February 7, 2011 as the deadline by which the Montgomery County Board of Equalization shall receive applications from property owners or lessees making complaints of inequalization of real estate assessments and/or complaints that the real property is assessed at more than the fair market value; and

BE IT FURTHER ORDAINED, By the Board of Supervisors that the Board of Supervisors hereby establishes March 7, 2011 as the deadline by which all applications shall be disposed of by the Board of Equalization.

ISSUE/PURPOSE: Ordinance to establish a deadline for the filing of appeals to the Board of Equalization and to establish a deadline by which all applications shall be disposed of by the Board of Equalization.

B. SUBJECT: REZONING REQUEST – BRYAN & KATIE KATZ

**ORD-FY-11-
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF
APPROXIMATELY 1.653 ACRES FROM AGRICULTURAL (A-1)
TO COMMUNITY BUSINESS (CB)
LOCATED AT 3653 PEPPERS FERRY ROAD
BRYAN & KATIE KATZ**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning, is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice and therefore approves the request(s) to rezone approximately 1.653 acres from Agricultural (A-1) to Community Business (CB), to allow an administrative office for a travel agency with an apartment. This approval is made subject to the following proffered conditions:

1. The following “by right” uses in Community Business (CB) district are voluntarily excluded:
 - Business or Trade School
 - Cemetery
 - Community Center
 - Conference or Training Center
 - Crematorium

- Custom Meat Cutting, Processing, Sales
 - Funeral Home
 - Homeless Shelter
 - Library
 - School
 - Telecommunications Tower, attached
2. Any change from the existing use of the property shall require approval and compliance with all applicable VDOT regulations.
 3. No commercial buses shall be parked or stored on the property until such time that the Montgomery County Zoning Ordinance is amended to either specifically allow the parking of large commercial buses as a permitted accessory use by right in the Community Business (CB) zoning district or when the property owner is allowed by special use permit approved by the Board of Supervisors.

The subject parcel is located at 3653 Peppers Ferry Road and is identified as Tax Parcel # 064-A-92, Account # 002869 in the Riner Magisterial District (District B).

The parcel currently lies in an area designated as Village Expansion in the Comprehensive Plan and as Mixed Use within the Belview Village Plan.

This action was commenced upon the application of Bryan and Katie Katz.

This ordinance shall take effect upon adoption.

ISSUE/PURPOSE: Rezoning Request.

JUSTIFICATION: At their October 20, 2010 meeting, the Planning Commission recommended approval (9-0) of the rezoning request. See TAB C.

VIII. NEW BUSINESS

**A. SUBJECT: SCHOOL OPERATING FUND
SUPPLEMENTAL APPROPRIATION**

**A-FY-11-
SCHOOL OPERATING FUND
SUPPLEMENTAL APPROPRIATION
EDUCATION JOBS STIMULUS FUNDING**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2011, for the function and in the amount as follows:

| | |
|-----------------------------------|------------------|
| 610000 Instruction | \$955,952 |
| 640000 Operations and Maintenance | <u>\$ 39,766</u> |
| Total | \$995,718 |

The source of funds for the foregoing appropriation is as follows:

| | |
|-------------------------|-----------|
| <u>Revenue Account:</u> | |
| Education Jobs Stimulus | \$995,718 |

Said resolution appropriates federal funds to support the first year of a two year plan for the use of Education Jobs Stimulus Funds.

ISSUE/PURPOSE: Appropriate federal Education Job Stimulus Funds.

JUSTIFICATION: Montgomery County Public Schools received allocation of \$2,162,475 in federal funds which the School Board requests be used in a two year plan. This resolution appropriates these funds for year one of the plan. See TAB D.

**B. SUBJECT: SOCIAL SERVICES – FY11 BUDGET
RECONCILIATION**

**A-FY-11-
SOCIAL SERVICES
FY 11 BUDGET RECONCILIATION**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund appropriation was reduced for the fiscal year ending June 30, 2011, for the function and in the amount as follows:

| | |
|---------------------|-------------|
| 540 Social Services | (\$137,584) |
|---------------------|-------------|

The reductions in funding for the foregoing appropriation are as follows:

Revenue Account

| | | |
|--------|-------------------------|----------------|
| | State & Federal Dollars | (\$136,962) |
| 451203 | County Dollars | <u>(\$622)</u> |
| | Total | (\$137,584) |

Said resolution reconciles the Social Services County FY 11 Budget to the State FY 11 Budget.

ISSUE/PURPOSE: FY 11 Social Services Budget Reconciliation.

JUSTIFICATION: The County budget is adopted prior to the receipt of the state budget allocation for the Department of Social Services. This resolution reconciles the County FY 11 Budget to the actual allocation of state funds for the department.

The FY 11 allocation of state and federal dollars was \$136,962 less than the FY 11 County approved budget, and requires \$622 less in County funds.

The FY 11 County budget for Social Services totals \$6,770,667 and the revised budget totals \$6,633,083, a difference of \$137,584. Of the revised budget, County dollars total \$1,067,056 or 16%.

This resolution makes the necessary adjustments to reflect the actual allocation of dollars received.

IX. INTO WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Proposed Request by Joseph & Elizabeth Maxwell for a Special Use Permit to allow a 199 ft. telecommunications tower at 1485 Harding Road.

X. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby ends the Work Session to return to Regular Session.

XI. COUNTY ATTORNEY'S REPORT

XII. COUNTY ADMINISTRATOR'S REPORT

XIII. BOARD MEMBERS' REPORT

1. Supervisor Biggs
2. Supervisor Politis
3. Supervisor Muffo
4. Supervisor Creed
5. Supervisor Brown
6. Supervisor Marrs
7. Supervisor Perkins

XIV. OTHER BUSINESS

XV. ADJOURNMENT

FUTURE MEETINGS

Special Legislative Meeting
Monday, November 15, 2010
5:00 p.m. Dinner
5:30 p.m. Meeting

Adjourned Meeting
Monday, November 22, 2010
5:00 p.m. Joint Meeting with the Planning Commission
6:45 p.m. Closed Meeting Items
7:15 p.m. Regular Agenda

Regular Meeting
Monday, December 13, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda